

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HARVEY CLEM MADDUX,

Plaintiff,

v.

STEVE MANSFIELD, STEVEN D
WALTON, GENE O SEIBER, STACY
A BROWN, KEVIN HANSON, JIM
PEA, CHRIS TAWES, STEVE CLEAR,
JULIE FRASE, TREVOR SMITH,
JOYCE MCCOY, JACK HASKINS,
KEVIN SHULTZ,

Defendants.

CASE NO. C14-5225 RBL-JRC

REPORT AND RECOMMENDATION

NOTED FOR:

FEBRUARY 20, 2015

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR1, MJR3 and MJR4.

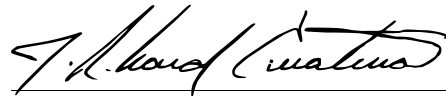
Currently before the Court is plaintiff's motion/notice indicating that he has signed a release and settlement agreement, he considers this action over, and he will not be filing any

1 opposition to a currently pending motion for summary judgment that is noted to be heard January
2 23, 2015(Dkt. 51). Plaintiff did not note his motion/notice for consideration.

3 Based on the plaintiff's notification to the Court that this action has settled, the Court
4 recommends striking defendants' motion for summary judgment (Dkt. 46), and closing the file.
5 If defendants contest plaintiff's assertion that the action has settled, they may file objections to
6 this Report and Recommendation.

7 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
8 fourteen (14) days from service of this Report to file written objections. *See also* Fed. R. Civ. P.
9 6. Failure to file objections will result in a waiver of those objections for purposes of de novo
10 review by the district judge. *See* 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit
11 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on
12 February 20, 2015, as noted in the caption.

13 Dated this 21st day of January, 2015.

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16 J. Richard Creatura
17 United States Magistrate Judge
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